

Article - Education

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§16–511.

(a) The College possesses all of the property, assets, immunities, defenses, licenses, credits, and rights of the New Community College of Baltimore, including those transferred to the Board of Trustees of the New Community College of Baltimore by the City of Baltimore and the Board of Trustees of the Community College of Baltimore under Chapter 220 of the Acts of the General Assembly of 1990.

(b) (1) (i) The Board of Trustees of the College may, in its discretion, assume such liabilities and obligations of the Community College of Baltimore as the Board considers necessary or useful.

(ii) Except as otherwise provided in subsection (d) of this section, the Board of Trustees may assume such liabilities or obligations only if the nature and terms of the obligations or liabilities to be assumed are consistent with the laws and regulations of the State.

(2) No liability, contract, or obligation of the Community College of Baltimore shall be a liability, contract, or obligation of the College unless such liability, contract, or obligation is expressly assumed by action of the Board of Trustees of the College.

(c) Baltimore City shall indemnify and hold harmless the State, the Board of Trustees of the New Community College of Baltimore, the New Community College of Baltimore, the Board of Trustees of Baltimore City Community College, and Baltimore City Community College for any judgments, damages, liens, settlements, and other costs, including attorney's fees, arising from the operations of the Community College of Baltimore, or the actions of the Board of Trustees of the Community College of Baltimore, or their employees, officers, or agents.

(d) (1) In this subsection, “procurement” and “procurement contract” have the meanings stated in § 11-101 of the State Finance and Procurement Article.

(2) Before July 1, 1991, the Board of Trustees may, in its discretion, assume as assignee any procurement contract entered into by or on behalf of the Community College of Baltimore prior to July 1, 1990. The Board of Trustees may assume such procurement contracts without regard to whether the contracts conform to the requirements of Division II of the State Finance and Procurement Article (The “General Procurement Law”) and the regulations adopted under that law.

(3) Except for contracts assumed under paragraph (2) of this subsection, procurement by the College shall be in accordance with Division II of the State Finance and Procurement Article and the regulations issued pursuant to that article.

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